

99B129

4.5 FSP Cover Sheet (Attach to the front of each proposal)

Proposal Title: Butte Creek Acquisition, Easement and Restoration Program
Applicant Name: Sherry Teresa, Center for Natural Lands Management
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Amount of funding requested: \$ 575,794 for 3 * years

Indicate the topic for which you are applying (check only one box).

<input type="checkbox"/> Fish Passage/Fish Screens	<input type="checkbox"/> Introduced Species
<input checked="" type="checkbox"/> Habitat Restoration	<input type="checkbox"/> Fish Management/Hatchery
<input type="checkbox"/> Local Watershed Stewardship	<input type="checkbox"/> Environmental Education
<input type="checkbox"/> Water Quality	

Does the proposal address a specified Focused Action? ☐ yes ☒ no

What county or counties is the project located in? Butte

Indicate the geographic area of your proposal (check only one box):

<input type="checkbox"/> Sacramento River Mainstream	East Side Trib: _____
<input checked="" type="checkbox"/> Sacramento Trib:	Suisun Marsh and Bay
<input type="checkbox"/> San Joaquin River Mainstem	North Bay/South Bay: _____
<input type="checkbox"/> San Joaquin Trib: _____	Landscape (entire Bay-Delta watershed)
<input type="checkbox"/> North Bay: _____	Other: _____

Indicate the primary species which the proposal address (check no more than two boxes):

<input type="checkbox"/> San Joaquin and East Side Delta tributaries fall-run chinook salmon	<input checked="" type="checkbox"/> Spring-run chinook salmon
<input type="checkbox"/> Winter-run chinook salmon	<input type="checkbox"/> Fall-run chinook salmon
<input type="checkbox"/> Late-fall run chinook salmon	<input type="checkbox"/> Longfin smelt
<input type="checkbox"/> Delta smelt	<input checked="" type="checkbox"/> Steelhead trout
<input type="checkbox"/> Splittail	<input type="checkbox"/> Striped bass
<input type="checkbox"/> Green Sturgeon	<input type="checkbox"/> All chinook species
<input type="checkbox"/> Migratory birds	<input type="checkbox"/> All anadromous salmonids
<input type="checkbox"/> Other: _____	

Specify the ERP strategic objective and target(s) that the project addresses. Include page numbers from January 1999 version of ERP Volume I and II:

The vision for the Butte Creek Ecological Management Unit for protecting and restoring riparian corridor (v II, p. 261). The Stream Meander and Floodplain Target 1 (vII, page 268). The Coarse Sediment Supply Target 3 (vII, Page 268). Habitats-Seasonal Wetlands

Programmatic Actions 1A and 2A (vII, page 269). Riparian and Riverine Aquatic Habitats Target 4 and Programmatic Action 4A (vII, page 271). Agricultural Lands Objective (v. I, p. 174 and v. II p. 262). The Chinook salmon objective, fall-run Chinook salmon vision and programmatic action (vol. II, p. 263 and p. 273).

Indicate the type of applicant (check only one box):

State agency	Federal agency
Public/Non-Profit joint venture	<input checked="" type="checkbox"/> Non-Profit
Local government/district	Private party
University	Other: _____

Indicate the type of project (check only one box):

Planning	<input checked="" type="checkbox"/> Implementation
Monitoring	Education
Research	

By signing below, the applicant declares the following:

- (1) the truthfulness of all representations in their proposal;
- (2) The individual signing the form is entitled to submit the application on behalf of the applicant (if applicant is an entity or organization); and
- (3) The person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section 2.4) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.

Sherry Teresa

Printed name of Applicant

Sherry Teresa

Signature of Applicant

Butte Creek Acquisition, Easement and Restoration Program

Applicant:

Center for Natural Lands Management

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Participants and Collaborators:

Butte Creek Watershed Education Project

CDFG

CSU Chico

Applicant Information:

certified nonprofit organization

exempt tax status

Federal ID#: 68-9233573

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II. EXECUTIVE SUMMARY

A. PROJECT TITLE/APPLICANT NAME

Butte Creek Acquisition, Easement and Restoration Program
Center for Natural Lands Management (Center).

B. Project Description/Primary Biological and Ecological Objectives

The Center is seeking a grant from the CALFED Category III program for a proposed *Butte Creek Acquisition, Easement and Restoration Program* to restore riparian landscapes. The project will target areas within a 300 foot wide corridor on each side of the 25 mile stretch of Butte Creek from Highway 99 south to the Gridley-Colusa highway. Associated wetland habitats near the 300 foot corridor will be included. Very little of the historic shaded riverine aquatic (SRA) habitat exists along this portion of Butte Creek. Loss of this habitat and associated processes has contributed to the decline of spring run salmon, steelhead trout and other riparian dependent species. The proposed program consists of immediate acquisition of several parcels in the riparian corridor and related wetlands, a lands inventory including identification of other key parcels for acquisition and restoration to meet ecosystem restoration objectives; a restoration program combined with the existing Keeney Ranch restoration funded by U.S. Fish and Wildlife Service (FWS); and a coordinated outreach program with public and private stakeholders with interests in the watershed.

C. Approach/Tasks/Schedules

The program approach consists of implementing the following tasks: purchasing existing lands in fee title and easements; inventorying lands along lower Butte Creek that will provide the greatest benefits to the functioning of the Butte Creek ecological unit; acquiring other lands based upon that inventory; restoring those lands to proper riparian and wetlands function condition; permanently protecting and maintaining those lands via acquisition or conservation easements, long-term stewardship and community cooperation. Completion of the lands inventory is to occur within the first year. Acquisition according to the benefits inventory shall occur on an as available basis over the next two years with restoration occurring seasonally on existing preserves. All agreements will be with willing participants and sellers.

D. Justification for Projects and Funding by CALFED

This land conservation program is consistent with the Butte Basin Ecological Zone objectives and targets as part of the Bay-Delta Ecosystem Restoration Plan program. The conservation project addresses the CALFED identified stressors on the biological and ecological quality of the Bay-Delta. Butte Creek is one of the most important streams remaining in California for the conservation of spring-run Chinook salmon and steelhead with 1960's salmon populations recorded at over 4,000 adults. It was one of California's largest wild spring runs. Recent high returns of salmon have bolstered hopes that a sustainable fishery may be restored and enhanced. Not only does this project contribute to the goals in nearly all major stressor groups, but it is a link to adjoining projects planned and implemented in lower Butte Creek, the Sutter Bypass and in upper Butte Creek through watershed plans, fish passage enhancements, riparian restoration, watershed education and preservation. This project will connect these efforts assuring proper functioning conditions for riparian and flood plains for the entire Butte Creek ecological unit.

E. Budget Costs and Third Party Impacts

The program budget is \$575,794 of which 58% or \$334,500 will be used to: 1) purchase, in fee

title and conservation easements, a minimum of 68 acres of land in two separate areas, from willing sellers. The remainder of the funds (\$241,294) will be used for: 2) a lands inventory, identification of other key parcels for acquisition and restoration to meet ecosystem restoration objectives, and an analysis of the 68 acres utilizing the Center's Property Analysis Record (PAR) to determine initial and capital cost and ongoing restoration and maintenance costs, for management of the lands acquired for conservation purposes in perpetuity. No significant third party impacts are anticipated as a result of this project. The counties of Butte may lose tax revenues from removing properties from the tax roles, however, avoided flood damage costs and greatly increased recreation and quality of life values would exceed this tax loss. Beneficial third party effects include farmers, lending institutions, and crop insurance funds who risk losing streamside croplands to flooding and others with investments threatened by floods downstream such as fisheries users, waterfowl enthusiasts and recreationists who enjoy all wildlife throughout the Central Valley and Delta.

F. Applicant Qualifications

The Center is a 501(c)(3) non profit tax exempt organization founded in 1990 to protect biological resources through long-term stewardship of conservation lands. The Center currently manages approximately 45,000 acres of land throughout California from Arcata to San Diego. In January 1997, the Center entered into a Memorandum of Understanding with The Nature Conservancy (TNC) to transition land management responsibilities at several TNC sites to the Center. The Center is managing a 56 acre riparian restoration and wetlands mitigation project just south of Durham at the Keeney Ranch on Butte Creek. The Center has established an office in Chico and is well positioned to manage these areas. Important local partnerships have been established with the Parks and Preserves Foundation (P&P), a local land trust, and the Butte County Fish and Game Commission.

G. Monitoring and Data Evaluation

The Center will utilize its ECOS monitoring program (see Center ECOS proposal submitted to CALFED July 28, 1997) to report to CALFED its acquisition progress, restoration implementation and management program for this Butte Creek project. In addition, monitoring protocols established by the comprehensive monitoring, assessment and research Program (CMARP) will be closely followed and integrated into ECOS.

H. Local Support/Coordination/Compatibility with CALFED Objectives As a consultant to Butte County, the Center is developing a Butte County wetland mitigation bank at the Keeney Ranch. Local support and coordination has been sought with others including such organizations as TNC, the Butte Creek Watershed Conservancy (BCWC), P&P, the FWS as administrators of the Central Valley Project Improvement Act (CVPIA), California Department of Fish and Game (DFG), the Wildlife Conservation Board (WCB), Butte County, the California Conservation Corps, Americorp, and CSU Chico. Associated with the Butte County mitigation bank project, the Center is restoring a 56 acre parcel (Keeney Ranch) acquired with funding from CVPIA, Title 34, Anadromous Fish Restoration Project and the Butte County Fish and Game Commission.

III. PROJECT DESCRIPTION

A. *Proposed scope of work*

The Center for Natural Lands Management (Center) is proposing a grant for a Butte Creek *Acquisition, Easement and Restoration Project*. Critical riparian and flood plain restoration along lower Butte Creek will be accomplished through the acquisition in fee title or easements of priority properties, and restoration and permanent stewardship of these lands. The proposal consists of acquisition of two properties from willing sellers, a lands inventory to identify key parcels to meet CALFED ecosystem restoration objectives; restoration of shaded riverine aquatic habitat (SRA) and wetlands habitat, integration of the pilot restoration program on the Keeney Ranch (Butte County Wetland Mitigation Bank managed by the Center) as a basis for a restoration strategy for future land purchase; and a coordination program between public and private stakeholders with interests in the watershed. The loss of habitat in this reach of Butte Creek has contributed to the decline of spring run salmon, steelhead trout and other riparian dependent species. There is virtually no floodplain interaction and the creek is seriously downcut into cemented sand and clay strata. Gravel is almost non-existent. Already approved improvements to diversions and removal of several barriers will help reestablish a more normal gravel and sediment regime, but without regular bankfull floodplain interactions, these gravels will be sluiced through with little or no benefit. Temperature in this section of the creek is a critical problem in addition to seasonal lack of water. Flows are being dedicated to the creek from various other projects and must be coordinated with riparian restoration to achieve maximum benefit. This project promises to complement the many activities to restore anadromous fish populations on Butte Creek by reconnecting the SRA habitats that support conditions necessary for their survival.

The approach for the proposed acquisition, easement, and restoration program consists of three elements: 1) acquisition and easement from two existing willing sellers, an inventory of priority parcels with outreach and assistance; 2) a second pilot restoration project to establish methodologies for restoring acquired lands; and 3) coordination with organizations and agencies to collaborate on the implementation of a comprehensive lower Butte Creek acquisition and restoration program. These elements are described below with their associated tasks.

Task 1. Priority Land Acquisition: The Center, through the Chico office, will coordinate with two existing, willing landowners to acquire fee title and conservation easements to two parcels containing significant riparian and wetlands habitat. The Center will inventory the lands along the identified reach of lower Butte Creek to continue the program of acquisition and restoration. A landowner outreach program will be initiated to provide information on the program and its benefits. The Center will assist landowners in preparing proposal, easements, management agreements and partnerships for priority properties.

Task 1.1

Purchase Landray property (Map1), 56 acres with nearly a mile of creek frontage between the levees. Purchase a conservation easement on 12 acres of riparian land on Dry Creek owned by Barris Farms, the main tributary to Butte Creek with historical salmon and steelhead runs.

Deliverable: Title report, conservation easement agreement, Property Analysis Record (PAR)

Task 1.2

An inventory of Lower Butte Creek lands will be conducted based on the following criteria: land ownership; quality of existing habitat to suggest whether restoration or protection is most beneficial; identify "infill" parcels contiguous with healthy habitat; determination of extent of parcel restoration; restoration goals and targets; land uses; current values based upon existing appraisals and existing and potential economic uses; hydrological evaluation in coordination with current projects to determine historic fluvial geomorphology, and opportunities and constraints for reestablishing flood plain functions; water quality evaluation based on chemical, biological and hydromodification effects and benefits in conjunction with (DFG) and Department of Water Resources (DWR) projects on Butte Creek. The inventory will identify ecosystem stressors and existing and future SRA habitat, parcel and ownership boundaries, agricultural potential, runoff, flooding, and diversion impacts. Weighted values of characteristics will rank parcels according to their ability to meet CALFED program objectives. Based on the above factors, a key parcels list will be developed. The guiding principle is that willing sellers will dictate the pool of parcels available and that choices between them will be made according to the priority system. Budgets and methodology will be developed based on results of the pilot restoration project on the Keeney Ranch. The PAR will be utilized to develop a cost analysis for these properties (see Exhibit 1).

Deliverables: Preparation of GIS maps reporting these characteristics and attributes.

Lower Butte Creek Priority Lands Acquisition Report.

Task 1.3

Develop a landowner outreach program to educate landowners about the overall program, the primary land/biological surveys, benefits associated with becoming a willing seller (e.g., financial, ecological, flood prevention, etc.) and program consistency with ecosystem restoration. Acquisition assessments will be conducted immediately on properties of existing willing sellers and contracts for acquisition or easements developed.

Deliverable: Educational materials such as brochures, information sheets, financial planning options, and contact lists.

Task 1.4

Assist in implementing land acquisitions by preparing proposals, easements, management agreements and developing partnerships based on the key parcels list and willing sellers. Continue Task 1.2 by educating landowners in the agricultural and real estate community of the availability of willing buyers. Approach individual property owners of priority properties to determine their interests. A continuum of purchase arrangements would be made available to sellers ranging from straight sale to tax free trades and charitable donation trusts. As a non-profit lands management organization with a background in real estate, the Center is capable of offering sellers a full complement of sales agreements. Based upon our experience in this area, the full cost of restoring and preserving riparian values in perpetuity is estimated to range between \$12,000 and \$15,000 per acre. Table 2 shows the proposed pilot project restoration costs on the Keeney Ranch, an example of the full cost of acquisition, restoration, and permanent stewardship. The Center would hold fee title or easement to the acquired lands. The Center would be responsible for long term management, endowments would be placed in trust with the Union Bank of California, the Center's fiduciary and investment representative, in a subaccount dedicated to the property pooled with endowments from other properties for investment purposes.

Deliverables: Identify acquisition costs, partnerships, and prepare proposals for specific properties. Determine long-term land owner/conservation easement holders.

Task 2. Restoration, Maintenance and Monitoring: This task will test restoration techniques, costs and prepare a program for instituting restoration and permanent stewardship on properties purchased through this project based on the Keeney Ranch and new pilot restoration projects.

Task 2.1

Document the restoration process and results. This task includes utilizing the results of the pilot project on the Keeney Ranch property and the new acquisitions; general methodology, specific techniques, labor and costs. The second step is to monitor the results over a two year period.

Prepare restoration strategy for future property acquisitions. Based on the pilot project in Task 2.1, the Center will develop a unique checklist and methodology for Butte Creek restoration, restoration management and stewardship to guide work for future acquisitions utilizing the PAR. The Keeney Ranch restoration will provide the most accurate comparisons for this area.

Deliverable: Restoration report for Keeney Ranch and new acquisitions and restoration strategy.

Task 2.2

Actual restoration will begin as soon as property and/or easements are obtained for the two pending acquisitions and management plans are developed. GIS mapping, biological resource inventories, restoration design will occur simultaneously for each of the specific projects in conjunction with the preparation of individual PARs.

Deliverables: GIS maps, inventories, restoration design, PARs

Task 2.3

Monitoring with the ECOS monitoring program will be closely coordinated with CALFED's CMARP program. This will be used to develop a long term management plan for the various restoration projects.

Deliverables: Monitoring report

Task 3. Coordination: The conservation of Butte Creek lands will be best served by developing a partnership with parties involved in the watershed. Coordination has been initiated with The Nature Conservancy (TNC) and the Butte Creek Watershed Conservancy (BCWC), Parks and Preserves Foundation (P&P), the DFG, and the FWS. Other opportunities for coordination will be identified with project participants in the CALFED and CVPIA programs.

Task 3.1

Continue **collaboration and coordination** with TNC and other groups in conjunction with the DFG, FWS, and other participants of programs on this and similar watersheds on their concerns and priorities for their respective projects up and down stream. Develop a Memorandum of Understanding (MOU) outlining overlapping and cooperative responsibilities and tasks, providing guidelines for the inventory and acquisition strategy.

Task 3.2

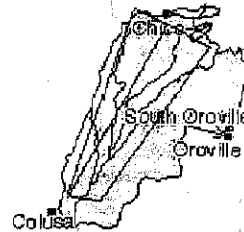
Identify other opportunities for collaboration and coordination to achieve consensus for acquisition and restoration program.

Task 4. Administration: The project will be administered by the Center. All project tasks will be administered independently in the event part of the project is not funded at this time.

Deliverables: Quarterly reports and project updates.

B. Location And Geographic Boundaries

The proposed project is located in the Butte Basin of the Sacramento River watershed. The acquisition project will focus on parcels located within a 300 foot corridor of land on each side of the 25- mile stretch of Butte Creek in Butte County from the southern edge of the City of Chico's area of influence to the Butte-Colusa County line. Associated wetlands habitats near the 300 foot corridor will be included. This alignment is in the lower portion of the Butte Creek Ecological Unit. (See maps)



IV. ECOLOGICAL/BIOLOGICAL BENEFITS

A. Ecological/Biological Objectives

Butte Creek, a tributary to the Sacramento River, flows from its headwaters in the Lassen National Forest, through Sierra foothills to the Central Valley. Much of the stream in this Central Valley reach has levees with adjacent intensive agricultural development. Butte Creek is one of the most important streams remaining in California for the conservation of spring-run Chinook salmon and steelhead with historic salmon populations recorded at over 22,000 adults. This Butte Creek population was one of California's largest spring run, Sacramento River being the largest with nearly a million fish. Over the last 30 years, with the exception of 1995 and 1998, the population has ranged from around fifty to just over a thousand. The decline of these populations (see chart) reflect the effects of stressors such as hydromodification, loss of the stream's deep cool pools, shaded riverine habitat, excess sediment transport, agricultural runoff and other physical, chemical and biological changes.

Alternatives to this program would be a no action alternative or modified approach focusing on easements and landowner education on riparian conservation.

The purpose of the proposed land acquisition, restoration and perpetual management project is the improvement of SRA habitat for the benefit of anadromous fisheries through the purchase of land and/or easements, and the restoration of riparian habitat. Major portions of the targeted stream bank have been denuded of riparian vegetation or support only a thin riparian edge. Restoration with native species such as cottonwoods, alders, and willows will increase SRA habitat in the stream, essential to both spring and fall-run Chinook salmon and other anadromous fish. Valley oak riparian restoration on the upper terrace will create an additional riparian belt within the flood plain, providing habitat for wood ducks, hawks, owls, northern harriers, American bitterns, and various neotropical migratory songbirds. The stream itself provides foraging habitat for osprey and bald eagles. Naturally eroding stream banks will provide habitat for bank swallows. The habitat will benefit other threatened and endangered species like the yellow-billed cuckoo and Western giant garter snake.

The program would provide continuity to existing and proposed improvement efforts both upstream on Butte Creek and downstream into Butte and Sacramento Slough, and complements several dam and fish screening projects in lower Butte Creek. Specifically, the purchase of streamside land and/or easements and its ultimate restoration to riparian and seasonal flood plain will return a significant portion of lower Butte Creek to a more naturally functioning watercourse. Potential restoration exists for 2,000 acres of riparian habitat in this stretch of Butte Creek. Twenty-five percent of these lands would be targeted for acquisition. Restoration of the acquired lands would have significant biological and hydrological benefits: anadromous fish benefits through reduction of water temperatures from SRA habitat; expansion of the available flood plain; and improved filtration of both sediments and chemical non-point source pollution. Implementation of restoration may reduce diversions and increase channel complexity. Overall, the amount of habitat for aquatic and terrestrial habitat along the stream course would be significantly enhanced and managed by a permanent stewardship program.

Third party beneficiaries include: agricultural landowners, their lending institutions, and crop insurance funds who suffer the loss of crops and orchards from flooding; downstream property owners who risk the loss of valuable improvements; local residents from reduced risk to the loss of public infrastructure and threats to human life; water managers responsible for meeting drinking water quality for urban use; users of the fishery and waterfowl resources; and participants of wildlife recreation activities.

Sustainable restoration and conservation management is the mission of the Center. All projects have management agreements, contracts or endowments that provide for management in perpetuity.

B. Linkages

CVPIA seeks to double and sustain the natural production of anadromous fish in Central Valley rivers and streams. The Anadromous Fish Restoration Plan (AFRP) identifies 29 actions and 14 evaluations for Butte Creek restoration. The goal of the CALFED Bay-Delta program for ecosystem quality is to improve and increase aquatic and terrestrial habitats and improve ecological functions to support sustainable populations of diverse and valuable plant and animal species. Loss of riparian habitat is noted as a significant contributing factor to the decline of anadromous fish populations. Restoration of natural ecological processes that are associated with streamflow, stream channels, watersheds, and flood plains is a major CALFED goal. Specific targets related to this project for the Butte Basin Ecological zone are Target 1, Stream Meander, page 268 of the ERP; Target 3, Coarse Sediment Supply, page 268; Target 1A and 2A, Seasonal Wetlands, page 269; Target 4, Riparian and Riverine Aquatic Habitats, page 270; Target 1, Freshwater Fish Habitat and Essential Fish Habitat; Target 1B, Agricultural Lands, page 271; Chinook Salmon objective, page 263 and 273.

In conjunction with other riparian restoration being conducted by the Center and CSU Chico, diversion dam removals, ladder and screen modifications to existing dams and acquisitions and easements in the riparian corridor, this project will help to establish the ecological linkage to all

the fish passage and habitat restoration efforts.

C. System-Wide Ecosystem Benefits

The proposed acquisition and restoration project will contribute to the ecological restoration needs of the river, water basin and Bay-Delta watershed including: 1) restoring nutrient cycling, vegetation succession, over bank flooding, and flood plain inundation; 2) increasing the amount of quality riverine edge habitat to allow spawning and rearing by sustainable populations of native fish species; 3) providing nesting and foraging habitat for neotropical migrant birds and other wildlife species; 4) working with available hydrologic and sediment regimes, in a manner consistent with flood control requirements, to more closely emulate natural stream channel configurations; and 5) restoring ecological processes and functions to maintain important habitats and contribute to the overall health of the ecological zone. These objectives match the Butte Creek Ecological Management Unit objectives and targets as part of the Bay-Delta Ecosystem Restoration Plan program identified on pages 255-258. Table 1 identifies the primary stressors identified by CALFED as appropriate for Category III funding that would be addressed by implementation of this project.

Putting stream bank lands into conservation uses is also essential to recreating healthy downstream conditions. Land acquisition and restoration to riparian vegetation will largely eliminate direct soil-water contact and overland flow runoff from adjacent agricultural lands. It will also provide a filter to reduce levels of siltation, sedimentation, chemical runoff, and damage from large woody debris. The restored and managed floodplains will also greatly increase natural groundwater recharge by increasing infiltration in the wetlands and undisturbed riparian areas. This will contribute to system-wide benefits with increased base flows in the creek and attenuated peak flood flows.

Restoration of stream bank and associated flood plain lands will also contribute to flood management and reduce the risk of flood hazards to agricultural and downstream development. At present many crops are grown adjacent to the waterway and even between the levees of Butte Creek. In the 1996-97 storm events, farmers experienced major losses from the flood waters. Several mature orchards within Butte Creek were completely destroyed. Acquisition of fee title or conservation easements over these lands and their restoration may reduce diversions thus contributing to increased stream flows, reduced water fluctuations, and reduced losses of anadromous fish. This would be achieved by concurrently purchasing the water rights for creek diversions.

D. Compatibility with Non-Ecosystem Objectives

This project is compatible with other objective of the CALFED program. The riparian forest will help to improve water quality by absorbing runoff, quantity by allowing for increased recharge on the floodplain, attenuated peak flood flows by capturing flood waters and runoff, and watershed management by improving the functioning condition of this important part of the watershed.

V. TECHNICAL FEASIBILITY AND TIMING

The project is will build upon the Center's experiences and technical background in managing acquiring fee title and easements on conservation land. The areas to the south on Butte Creek are mostly managed wildlife areas, either state (Little Dry Creek Unit and Graylodge), federal (The Bean Field) or private wildlife properties. As a result, the majority of the riparian corridor of Butte Creek is protected and has excellent Shaded Riverine Aquatic habitat. From the upper end of Howard Slough upstream, the riparian corridor is severely limited by levees and agricultural encroachment. This proposal targets this area of greatest need. The tremendous efforts that have been expended on Butte Creek including the dam upgrades and removals, Western Canal's siphon project, the Center's Keeney Restoration, DFC and CSU Chico projects in the lower canyon area, have combined to develop a momentum that has helped to support the return of 1998's record run of 20,000 salmon. Continued diligence in these efforts could establish a model restoration effort that would have tremendous ecological, social, and economic implications for the CALFED Bay-Delta Program, USFWS Anadromous Fish Restoration Program, EPA funded Sacramento River Watershed Program and other efforts to protect, restore, and enhance watersheds.

VI. MONITORING AND DATA COLLECTION METHODOLOGY

The Center will utilize its ECOS monitoring program (see Center ECOS proposal submitted to CALFED July 28, 1997) to report to CALFED its acquisition progress, restoration implementation and management program for this Butte Creek project. The Center incorporates long-term monitoring in its PAR analysis of each property. In this case, monitoring of riparian flood plain function including succession of vegetation, SRA habitat and other water quality measurements will be performed.

Bio/Ecological Objectives			
Hypothesis	Monitoring parameter	Data Evaluation Approach	Comments/Data Priority
Riparian Restoration will speed recovery	Success rates of monitored species	Data evaluated for adaption of restoration strategy	

VII. LOCAL INVOLVEMENT

The Center's work in this area suggests that landowners and watershed groups are receptive to mechanisms that improve the fishery and protect their lands but do not compromise their other agricultural activities. Similarly, the acquisition of water rights is probable to the extent land is taken out of production. The width of the riparian strip necessary to achieve ecosystem objectives is integrated with remaining agricultural uses. This knowledge will improve our ability to negotiate such purchases.

The addition of riparian vegetation and the ability to inundate conservation lands during flood events are both important factors for the reclamation districts and public works. All necessary environmental review and permits or agreements will be met.

VIII. COSTS AND SCHEDULE TO IMPLEMENT

A. BUDGET

The cost of the Butte Creek Land Conservation Program is \$566,357 (Table 3) of which 59% or \$334,500 is for the acquisition of lands. Table 4 summarizes the pilot project cost using low and high range values. The central range for most properties is between \$12,000 to \$15,000.

Total Budget(see Table 3)

Task	Direct Labor Hours	Direct Salaries, Benefits	Service Contracts	Materials, Acquisition costs	Miscellaneous and other direct costs	Indirect Costs	Total Costs
Task 1	1568	67424	46000	334500	5790	23111	476825
Task 2	146	6278	20000	24100	2800	8299	61477
Task 3	270	11610	0	0	560	2677	14847
Task 4	400	17200	0	0	1360	4083	22643
Total	2384	102512	66000	358600	10510	38170	575792

Quarterly Budget

Tasks	10-12 1999	1-3 2000	4-6 2000	7-9 2000	10-12 2000	1-3 2001	4-6 2001	7-9 2001	Total
Task 1	400000	25000	10000	10000	10000	10000	10825	1000	476826
Task 2	7684	7684	7684	7684	7684	7684	7684	7689	61477
Task 3	1855	1855	1855	1855	1855	1855	1855	1862	14847
Task 4	2830	2830	2830	2830	2830	2830	2830	2833	22643
Total	412379	73542	22373	22376	22379	58529	23198	13391	575793

Table 4
Pilot Project (Keeney Ranch) Projected Restoration
and Long-Term Stewardship Costs

Range of Acquisition Costs Per Acre	low range (\$)	high range (\$)
Land Costs	\$3,500	\$6,000
Restoration	\$3,500	\$4,500
Restoration Maintenance and Initial and Capital Costs	\$700	\$1,000
Perpetual Stewardship through Endowment	\$4,000	\$4,500
TOTAL	\$11,700	\$15,500

The next largest component of this program's costs are contracts to sub-contractors including water quality, hydrology, appraisal services, and GIS production. The values have been broadly confirmed by contractors in these fields including the California State University, Chico Geographic Information Center. Each contract will be subject to competitive bid, with the possible exception of the GIS and the lands inventory.

The Center's labor rate is set at \$43 an hour plus taxes, benefits, and insurance of approximately 30% of salary. Administrative costs are calculated at 22 percent of total costs for CNLM labor expenses, material and miscellaneous costs except acquisition. Major service contracts incur a 5% administrative rate.

B. SCHEDULE MILESTONES

Figure 1 summarizes the schedule milestones identified below.

- Milestone 1: Coordinator MOU. The MOU is to be completed in the fourth month of the project to coordinate activities and demonstrate concurrence in the process of inventorying and acquiring properties.
- Milestone 2: Assess and acquire in fee title and easements the Landray and Barris properties that have demonstrated potential and begin restoration activities.
- Milestone 3: Development of the landowner outreach program and completion of the contractor reports. In order to have seasonal data, contractor reports may take a nearly a year to complete.
- Milestone 4: Completion of Acquisition Program report. This report will be in process for some months during the final months of the contractors work allowing MOU partners, stakeholders and CALFED review of draft documents. The document will be finalized by the 15th month.
- Milestone 5: With substantial agreement on the Acquisition Program, specific advertising of the Program will target realtors and priority landowners in Month 13
- Milestone 6: Completion of the Pilot Restoration Program (Keeney property). This will occur after restoration and at least a year of monitoring.
- Milestone 7: Within three years restoration and permanent stewardship will be ongoing activities.

C. THIRD PARTY IMPACTS

No significant third party impacts are anticipated as a result of this project. Although Butte County may potentially lose tax revenues in the amount of \$8,000 to \$10,000 a year from removing properties from the tax roles, avoided flood damage costs and increased recreation and

quality of life values would exceed this tax loss. Third party beneficiaries include farmers, financial institutions and crop insurance funds who risk losing streamside croplands to flooding, others with investments threatened by floods downstream, fishery and waterfowl users, and recreationists who enjoy all wildlife throughout the Central Valley and Delta.

Several landowners along Butte Creek experienced major orchard and other crop losses during the winter of 1996-97 and were forced to replant at great expense. Insurance costs for such incidence are rising and FEMA is no longer the insurance agent of last resort in flood prone areas.

Property owners with downstream investments will also benefit from a reduction in flood risks due to this project. This project may play a role in the protecting investments in Sacramento and the Delta.

Downstream water purveyors will benefit from cleaner stream flows which reduce the cost of purification and plant maintenance. Fisheries users, both commercial and sport, will benefit from increased production of anadromous species. Waterfowl enthusiasts will benefit from increased habitat and production of resident and migratory birds.

Several projects on Butte Creek are planned which in combination with increased riverine edge habitat created by this project will greatly change the creek's and the fishery's condition. The Butte Creek Watershed Conservancy and CSU Chico are completing an Existing Conditions Report and creating a Watershed Management Strategy. The Nature Conservancy, Northern California Water Association and California Waterfowl Association are working on improvements in the Butte Sink, on the Butte and Sacramento Sloughs at the junction of Butte Creek and the Sacramento River and improvements to several dams are likely. This project helps to link those projects to improve conditions for anadromous fish recovery the full length of Butte Creek.

The Parks and Preserves Foundation (P&P) is developing restoration projects and are seeking improved coordination of efforts with the Center. P&P supports and encourages this proposed project to protect habitat and the dependent species, improve recreational use of wildlife resources and further monitor and analyze restoration efforts on Butte Creek.

IX. COST SHARING

The FWS has funded the Keeney Ranch restoration which will provide significant information and experience at very little cost. Americorp will be partially contributing the use of their restoration team. Volunteer efforts on restoration projects will be a significant contribution. The Butte Creek Watershed Education Project will provide many hours of student help and internships toward the restoration. CSU Chico students will also be utilized on internships to assist in restoration efforts.

X. APPLICATION QUALIFICATIONS

The Center and its staff are highly qualified to successfully implement this program. Founded in 1990 and incorporated as a section 501(c)(3) nonprofit tax exempt organization, the Center's main mission is to protect biological resources through long-term stewardship of mitigation and conservation lands. The Center currently manages approximately 41,000 acres of land throughout California from Arcata to San Diego. In January 1997, the Center entered into a Memorandum of Understanding with The Nature Conservancy to transition land management responsibilities at several Conservancy sites to the Center. To date, over 20,000 thousand acres of TNC lands have been transferred for management.

The Center has developed a unique software program and database, the Property Analysis Record (PAR), to accurately predict short- and long-term stewardship activities and costs, and to assist land managers in planning stewardship projects in perpetuity. The Center has presented the PAR seminar to hundreds of public agency and private parties throughout the United States. The Center also provides services developing and implementing Habitat Conservation Programs (HCPs), conservation banking programs, preparing habitat management plans and cost analysis reports. We participated in the beginning phases and continue to be involved in the Natural Communities Conservation Planning process in Southern California.

The Center will be responsible for overall program coordination and implementation. Expert sub-consultants will be contracted on a public bid basis to provide water quality, hydrology, appraisal and GIS production services. Table 5 identifies the specific individual responsibilities to be filled by the program staff.

Table 5 Lower Butte Creek Acquisition and Restoration Program Staff Organization			
Program Title	Org.	Individual	Responsibilities
Executive Officer	Center	Sherry Teresa	General program oversight and advising
Program Manager	Center	Brenda Pace	Lead team in Implementing project schedule and meeting deliverables in a timely manner. Administer sub-contracts.
Biological Manager	To be determined	To be determined	Coordinate with hydrologists and water quality contractors to develop biological, hydrological, and water quality weightings for determination of priority properties. Work with GIS coordinator to develop datasets and create maps, and Real Estate Manager to integrate their respective information in the analysis. Manage pilot restoration project. Assist in developing the Restoration Program report and conducting ongoing restoration projects and monitoring on purchased properties

Program Title	Org.	Individual	Responsibilities
Real Estate Manager	Center	Brenda Pace	Collect land, land use, and ownership information for the lands inventory. Work with Biological Manager to integrate land information into the weighting system to determine priority lands. Coordinate with appraiser to establish a basis and range for appropriate land values, and with the GIS coordinator for real estate information and mapping. Market acquisition program to landowners; negotiate purchases and terms. Work with the attorneys and accounts to facilitate sales with special circumstances such as tax free trades and charitable donation trusts.
Appraiser	To be determined	To be determined Jim Saake	Prepare appraisals on priority properties. Coordinate with Project Manager and Real Estate Manager.
Hydrologist/ fluvial geomorphologist	U.C. Berkeley	Matt Kondolf Project funded	Conduct hydrology/fluvial geomorphology studies to help determine weightings for determination of priority properties.
GIS Specialist	To be determined	To be determined	Coordinate with Project manager and program team to document program information and prepare maps.
Water Quality Specialist	DWR	Jerry Boles Project proposed	Conduct water quality studies to help determine weightings for determination of priority properties.
Restoration labor	California Conservation Corps Americorp Watershed Volunteers	Walt Auburn Todd Hamer	Provide the labor force and skills necessary for restoration work on both the pilot restoration project (Keeney property) and the priority lands to be acquired.
Notes: The Biological Manager and the Real Estate Manager shall jointly produce the Coordination MOU, Acquisition Program report and conduct ongoing coordination activities.			

B. CENTER'S STAFF BIOGRAPHIES

Sherry Teresa: Sherry Teresa formed the Center in 1990 and has 16 years experience in evaluating and protecting biological resources, including five years with the California Department of Fish and Game. Ms. Teresa is skilled in the application of the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), Endangered Species Act (ESA), and the Clean Water Act Section 404 permit process. Her active involvement in regional conservation planning is demonstrated through participation in Habitat Conservation Plans (HCPs) and the Natural Communities Conservation Planning (NCCP) programs in southern California. Ms. Teresa was instrumental in developing the Center's PAR software and has performed dozens of PAR analyses on properties statewide. She has also written and worked extensively on habitat preservation for the Swainson's hawk. Ms. Teresa completed a Bachelor's degree in Zoology at Brigham Young University and a Master's degree in Biogeography and Ecosystems Analysis at UCLA. Her biological, regulatory, and project management experience make her well suited as

Executive Officer of the ECOS Project. The success of the Center and the wide use of the PAR software application demonstrate that she has the vision and the skills to see projects through from their inception to their successful implementation.

Brenda C. Pace: Ms. Pace is a specialist in real estate, land economics, and finance. Prior to her affiliation with the Center, Ms. Pace operated Pace Research Company, a consulting firm established in 1976. Earlier associations were with development firms and banking institutions. Ms. Pace holds a Bachelor's degree from the University of Oregon and graduated with a Master's degree in Regional Economics from UCLA. Her work at the Center has concentrated on establishment of systems for reviewing and analyzing mitigation properties. This work includes developing computer programs that incorporate the variety of requirements and activities necessary to maintain biological resources. It also includes the mechanisms for converting the costs of restoration and long-term maintenance into figures useful for the establishment of special districts or endowments.

References

Butte County:

Don Holtgrieve, Butte Creek Watershed Project, CSU Chico, (530) 898-5780
Allen Harthorn, Butte Creek Watershed Education Project, (530) 893-5398
Jim Saake, Parks and Preserves Foundation, (530) 343-6852

Kern County: Leslie Friedman Johnson, The Nature Conservancy, (415) 777-00487
Jim Brownell, California Energy Commission, (916) 654-4169.

VI. Compliance with Standard Terms and Conditions

The Center will comply with standard terms and conditions associated with a CALFED grant award.

Table 1
Stressor Categories Addressed by Lower Butte Creek
Acquisition and Restoration Program

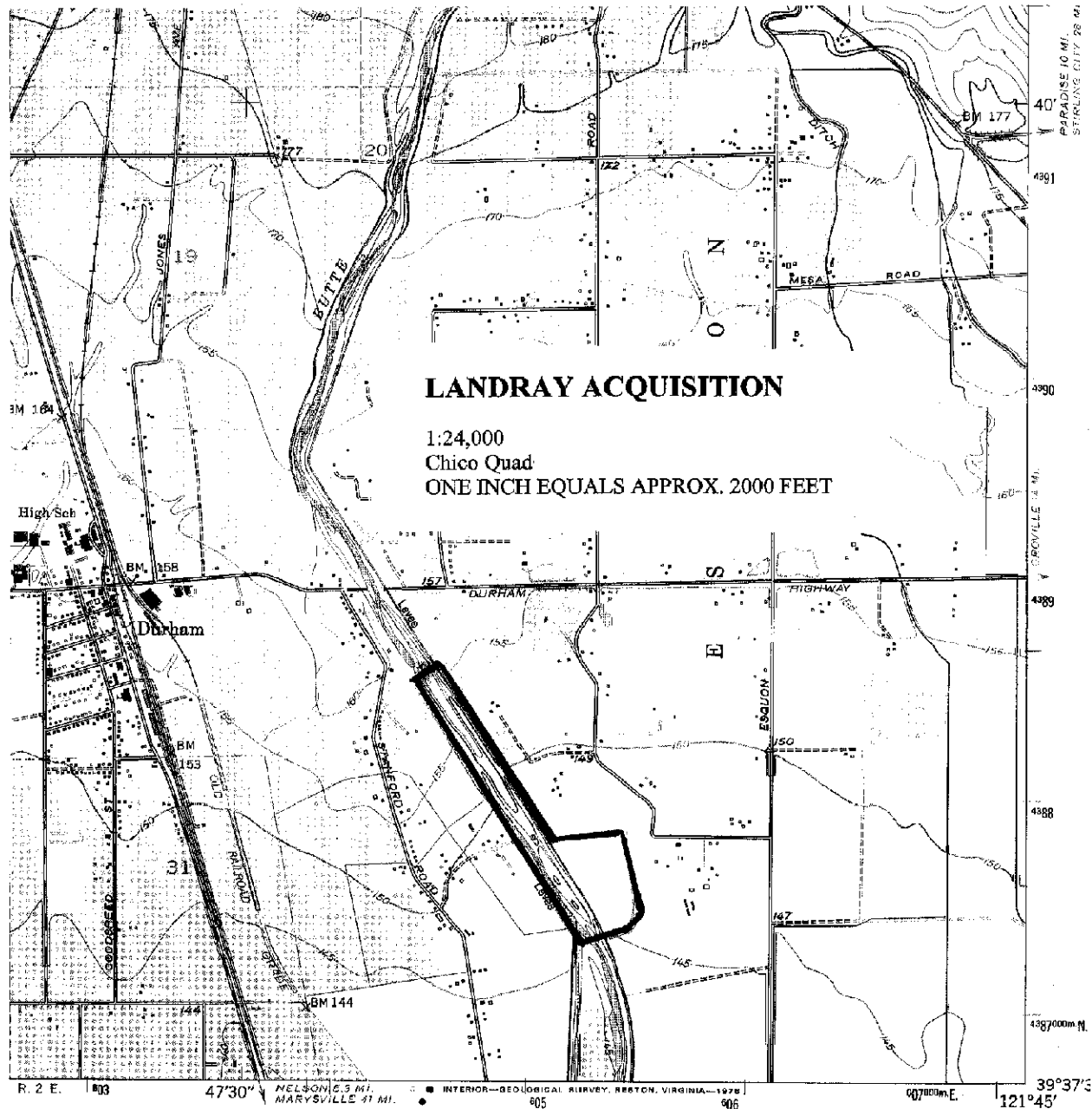
Stressor Categories	Stressor Subcategories	Description of Stressors	Restoration Action
Alteration of flows and other effects of water management	Hydrograph alterations	Inadequate flow, stranding due to flow fluctuation	Reduction in numbers of diversions and amount of agricultural acreage on creek edge irrigated with creek water
Alteration of flows and other effects of water management	Entrainment	Unscreened diversions	Reduction in number of diversions and screening of others
Floodplain and marshplain changes	Physical isolation of floodplain or marsh plain	Habitat fragmentation	Restore Shaded Riverine Aquatic (SRA) habitat
Floodplain and marshplain changes	Physical isolation of floodplain	Habitat fragmentation	Restore seasonal floodplains
Flood plain and marshplain changes	Physical isolation of floodplain or marshplain	Habitat fragmentation	Conserve flood plain through land acquisition or easements
Floodplain and marshplain changes	Elimination of fine sediment replenishment	Loss of floodplain and marshplain; fine sediment deposition	Maintain riparian edge and flood plains to collect silt and retard siltation into waterway
Flood plain and marsh plain changes	Land use changes in the floodplain or marsh plain	Urbanization, agriculture, grazing	Convert streamside lands to riparian and floodplain functions
Floodplain and marsh plain changes	Land use changes in the floodplain or marsh plain	Urbanization, agriculture, grazing	Fish compatible responses to flood damage
Floodplain and marsh plain changes	Land use changes in the floodplain or marsh plain	Urbanization, agriculture, grazing	Enhance areas for foraging and nesting habitat for migratory birds
Channel form changes	Prevention of channel meander	Channelization, loss of complexity	Create internal waterways where feasible
Channel form changes	Isolation of side channels	Loss of woody debris, loss of spawning habitat	Create internal waterways where feasible
Channel form changes	Channel aggradation due to fine sediments	Accelerated erosion	Create streamside filtration through restoration of riparian vegetation
Channel form changes	Loss of riparian zone	Loss of food supply, loss of SRA	Restore riparian vegetation
Water quality	Increased contaminants	Acute or chronic toxicity caused by agricultural runoff	Restore riparian vegetation to create SRA, and reduce diversion to maintain flows
Land use	Grazing and agricultural practices	Loss of riparian habitat, increased erosion, decreased water quality	Purchase instream and stream side holding and cover to riparian and floodplain use

Table 2
Pilot Restoration Project (Kecney) Budget
Center for Natural Lands Management
April 1999

	Unit	Quantity	Cost/ Unit	Total Cost
Acquisition Budget				
Land Cost	Acres	56	\$5,357	\$299,992
Closing Costs	Escrow/Title	1	\$3,000	\$3,000
Subtotal				\$302,992
Restoration Budget				
Design	Contract	1	\$8,000	\$8,000
Clearing	Hours	36	\$12	\$432
Bank Prep.	Hours	1800	\$12	\$21,600
Cuttings	Hours	800	\$12	\$9,600
Seed Collection	Hours	1400	\$12	\$16,800
Planting	Hours	5500	\$12	\$66,000
Nursery Stock	Plants	4750	\$1	\$4,750
Weed Mats/Screens	Plants	9500	\$2	\$19,000
Supervision	Hours	270	\$65	\$17,550
Travel	Miles	0.29	\$800	\$232
Irrigation Set-up	Hours	680	\$20	\$13,600
Irrigation Parts	Heads	4700	\$1	\$4,700
Electricity	KWH	4000	\$0	\$600
Pump Maintenance	Hours	25	\$30	\$750
Contract Provision	Hours	25	\$30	\$750
Oversight	Hours	96	\$30	\$2,880
Administration @ 5%				\$9,362
Contingency				\$23,500
Subtotal				\$220,106
Restoration Maintenance (Initial and Capital)				
Monitoring	Hours	100	\$30	\$3,000
Project Oversight	Hours	80	\$30	\$2,400
Gates	Gates	1	\$600	\$600
Fencing	Feet	1000	\$3	\$3,000
Signs	Signs	36	\$7	\$252
Watering	Hours	160	\$15	\$2,400
Invasive Control	Hours	700	\$15	\$10,500
Irrigation Maintenance	Hours	120	\$25	\$3,000
Electricity	KWH	4000	\$0	\$600
Travel	Miles	1440	\$0	\$418
Contract Maintenance	Hours	8	\$30	\$240
Accounting	Hours	3	\$30	\$90
Exemption Filing	Hours	1	\$30	\$30
Administration				\$5,837
Subtotal				\$32,366
Permanent Stewardship				
Endowment				\$180,000
Total				\$735,464
Cost per acre for 56 acre parcel				\$13,133
Cost per acre for 47 acre restoration				\$15,648

Table 3
Butte Creek Acquisition and Restoration Program Budget
Center for Natural Lands Management
April 1999

	<u>Direct Labor Hours</u>	<u>Direct Salary and Benefits</u>	<u>Overhead and Admin. Labor</u>	<u>Service Contracts</u>	<u>Material and Acquisition Contracts</u>	<u>Misc. and other Direct Costs</u>	<u>Total</u>
a. Acquisition Program							
Task 1.1 Priority Lands Acquisition	400	\$17,200	\$7,129		\$334,500		\$358,829
Task 1.2. Inventory/Database Production	120	\$5,160	\$1,135				\$6,295
Ownerships	48	\$2,064	\$569	\$2,000		\$70	\$4,703
Field Survey	320	\$13,760	\$4,077	\$10,000		\$2,500	\$30,337
Hydrology/FluvialGeoMorphology	120	\$5,160	\$1,801	\$12,000		\$300	\$19,261
Land Values	160	\$6,880	\$3,304	\$8,000		\$140	\$18,324
GIS Production	140	\$6,020	\$1,886	\$10,000		\$280	\$18,186
Task 1.3. Land Owner Outreach	160	\$6,880	\$1,954			\$2,000	\$10,834
Task 1.4 Acquisition Program Report	100	\$4,300	\$1,256	\$4,000		\$500	\$10,056
b. Restoration and Maintenance Program							
Task 2. Trial Restoration	146	\$6,278	\$8,299	\$20,000	\$24,100	\$2,800	\$61,477
Task 3. Coordination and Collaboration	270	\$11,610	\$2,677			\$560	\$14,847
c. Administration							
Task 4. Administration and accounting	400	\$17,200	\$4,083			\$1,360	\$22,643
Contingency (10%) *exc							\$55,579
Total	2384	\$102,512	\$38,172	\$66,000	\$358,600	\$10,510	\$575,794



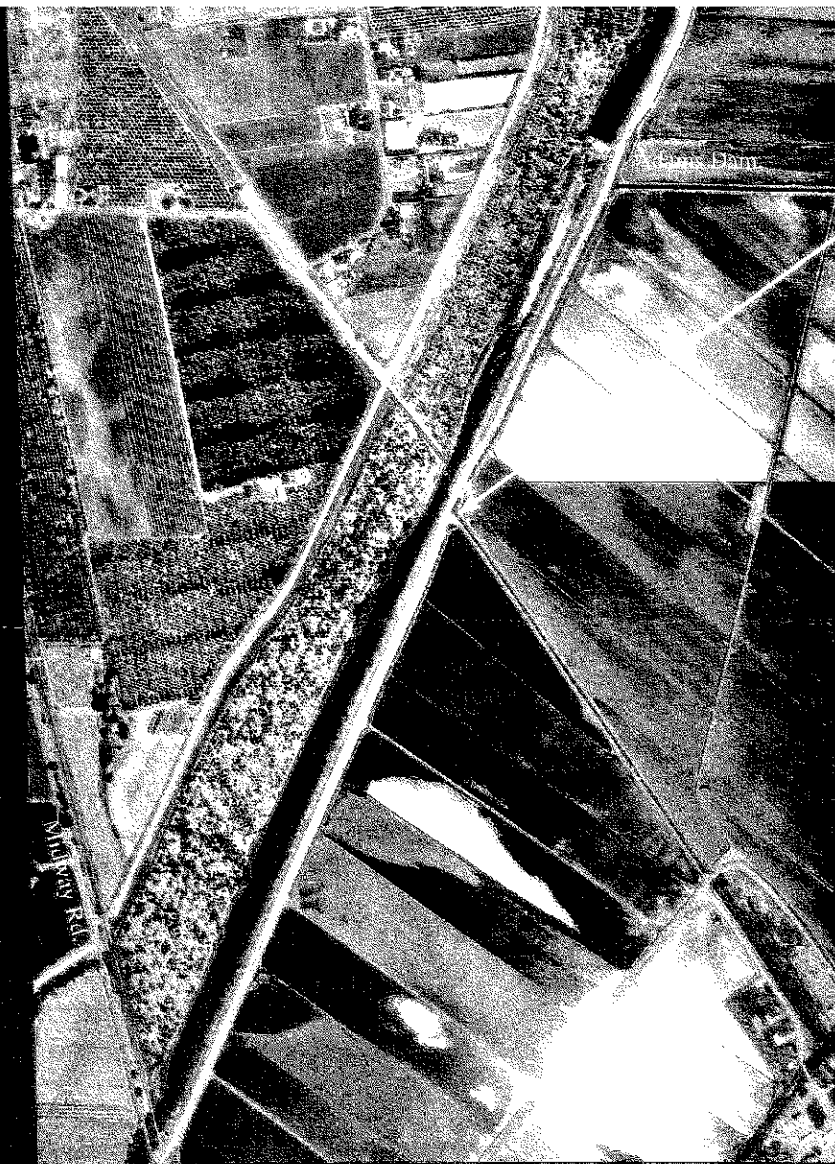
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TABLE ON REQUEST



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I-014556

I-014557



Levees



Keeney Restoration
Project Site.



I-014557



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I-014558

Center for Natural Lands Management

A non profit organization for the protection & management of natural resources

April 16, 1999

Butte County Board of Supervisors
25 County Center Drive
Oroville, CA 95965

Dear Supervisors,

The Center for Natural Lands Management is pleased to be working with the Butte County Fish and Game Commission on the wetlands mitigation bank on Butte Creek. The Center has been managing conservation lands for 9 years and manages over 45,000 acres throughout the state. We have been working with several landowners along Butte Creek, such as the Keeney family from whom we purchased the mitigation bank lands. There is increasing scientific evidence and public sentiment that conservation of the lands along our creeks is important. To that end, the Center is submitting a proposal to CALFED to inventory riparian lands and pursue acquisitions and easements with willing landowners. With the added value that buffered riparian corridors provide to wildlife, recreation, groundwater recharge, water quality and residential home values, it is our belief that Butte County will greatly benefit from this type of program.

We appreciate your cooperation and support. It has been a pleasure to work with you on the Butte Creek Wetland Mitigation Banking Program and we look forward to more partnerships in the future. If you have any questions please feel free to call at the number above.

Sincerely,

Sherry Teresa
Executive Director

Drive gently, stay late and take care of the land



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Executive Director
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Caroleen Battaglia
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FAX 760/ 343-0361
email: caroleen@clm.com

Oracela Hightower
Preserve Manager
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Bakersfield, CA 93309
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Thermal City Hall

Don C. Kruman, Ph.D.
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Research, University of
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Duffy Ranch Co.
Michael McCollum
McCollum Associates
Elizabeth Patterson
Planning Consultant

Michael H. Remy
Remy, Thomas & Moore
Douglas A. Durbin
Group Development Co.
Ex-Officio Directors
Larry Eng, Ph.D.
California Department of
Fish & Game
Wayne S. White
U.S. Fish & Wildlife Service

www.clm.org



Center for Natural Lands Management

A non-profit organization for the protection & management of natural resources

April 16, 1999

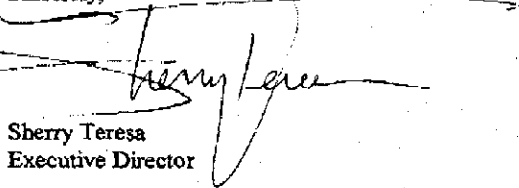
Butte County Planning Commission
7 County Center Drive
Oroville, CA 95965

Dear Commissioners:

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Sincerely,


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Executive Director

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email: cnlmgraciela@aol.com

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Larry Eng, Ph.D.
California Department of
Fish & Game

Wayne S. White
U.S. Fish & Wildlife Service

www.cnlm.org

Rise early, stay late and take care of the land

NONDISCRIMINATION COMPLIANCE STATEMENT

COMPANY NAME

The Center for Natural Lands Management

The company named above (hereinafter referred to as "prospective contractor") hereby certifies, unless specifically exempted, compliance with Government Code Section 12990 (a-f) and California Code of Regulations, Title 2, Division 4, Chapter 5 in matters relating to reporting requirements and the development, implementation and maintenance of a Nondiscrimination Program. Prospective contractor agrees not to unlawfully discriminate, harass or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave and denial of pregnancy disability leave.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized to legally bind the prospective contractor to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

Sherry Teresa

DATE EXECUTED

April 15, 1999

EXECUTED IN THE COUNTY OF

San Diego

PROSPECTIVE CONTRACTOR'S SIGNATURE

PROSPECTIVE CONTRACTOR'S TITLE

Executive Director

PROSPECTIVE CONTRACTOR'S LEGAL BUSINESS NAME

Sherry Teresa

U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used; use this form for certification and sign; or use Department of the Interior Form 1954 (DI-1954). (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12.)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters -
Primary Covered Transactions**

CHECK__IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -
Lower Tier Covered Transactions**

CHECK__IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-201a
March 1995
(This form consolidates DI-1959, DI-1954,
DI-1955, DI-1956, and DI-1961)

PART C: Certification Regarding Drug-Free Workplace Requirements

☒ CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

425 E. Alvarado
Fallbrook CA 92028-2960

San Diego

Check ☐ if there are workplaces on file that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

☐ CHECK IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED 4/16/99		Applicant Identifier	
3. DATE RECEIVED BY STATE		State Application Identifier			
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier			

5. APPLICANT INFORMATION

Legal Name: Center for Natural Lands Management	Organizational Unit:
Address (give city, county, State, and zip code): 425 E. Alvarado Santa H Fallbrook CA 92028-2960 San Diego	Name and telephone number of person to be contacted on matters involving this application (give area code):

6. EMPLOYER IDENTIFICATION NUMBER (EIN): 68-9233513	7. TYPE OF APPLICANT: (enter appropriate letter in box) <div style="display: flex; justify-content: space-between;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) <u>Non-profit</u> </div> </div>
---	--

8. TYPE OF APPLICATION:
☒ New ☐ Continuation ☐ Revision
 If Revision, enter appropriate letter(s) in box(es): ☐ ☐
 A. Increase Award B. Decrease Award C. Increase Duration
 D. Decrease Duration Other(specify):

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:
 TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):
 Durham, Butte County

13. PROPOSED PROJECT Conservation	14. CONGRESSIONAL DISTRICTS OF: District 2 & 3
---	--

Start Date 10/99	Ending Date 9/01	a. Applicant Center for Natural Lands
		b. Project Conservation Lands

15. ESTIMATED FUNDING:

a. Federal	\$	575,794	00	
b. Applicant	\$		00	
c. State	\$		00	
d. Local	\$		00	
e. Other	\$		00	
f. Program Income	\$		00	
g. TOTAL	\$	575,794	00	

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
 a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:
 DATE _____
 b. No. ☐ PROGRAM IS NOT COVERED BY E. O. 12372
☒ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
☐ Yes If "Yes," attach an explanation. ☒ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Type Name of Authorized Representative Donald Holtgrieve	b. Title Preserve Manager	c. Telephone Number 530-342-0277
d. Signature of Authorized Representative 	e. Date Signed 4/16/99	

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PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT, SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Donald Holtgrieve

TYPED NAME AND TITLE

Donald Holtgrieve

DATE

April 16, 1999

ASSURANCES - NON-CONSTRUCTION PROGRAMS

OMB Approval No. 0346-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0346-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4733) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-648) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

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9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276a and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of protect consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air Implementation Plans under Section 176(c) of the Clean Air Act of 1965, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in ensuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-346 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE	
<i>Don Holtzman</i>		<i>Reserve Manager</i>	
APPLICANT ORGANIZATION		DATE SUBMITTED	
<i>Center for Natural Lands Mgmt</i>		<i>4/16/99</i>	

Standard Form 424B (Rev. 7-97) Back

26-1010
March 1995
GSA Form 101-101 (Rev. 10-1-94)
GSA 101-101 (Rev. 10-1-94)

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

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CHECK ☐ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$100,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-L.L. "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Don Holtgrieve

TYPED NAME AND TITLE

Donald Holtgrieve

OATH

April 16, 1999

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. <i>CalFed</i>		\$	\$	\$ 575,794	\$	\$ 575,794
2.						
3.						
4.						
5. Totals		\$	\$	\$ 575,794	\$	\$ 575,794

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM FUNCTION OR ACTIVITY				Total (5)
	(1) <i>CalFed</i>	(2)	(3)	(4)	
a. Personnel	\$ 102,512	\$	\$	\$	\$ 102,512
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	424,600				
g. Construction					
h. Other	10,510				10,510
i. Total Direct Charges (sum of 6a-6h)					
j. Indirect Charges	38,172				38,172
k. TOTALS (sum of 6i and 6j)	\$ 575,794	\$	\$	\$	\$ 575,794
7. Program income	\$	\$	\$	\$	\$

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8.	\$	\$	\$	\$	
9.					
10.					
11.					
12. TOTAL (sum of lines 8 - 11)	\$	\$	\$	\$	

SECTION D - FORGASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 494,507	\$ 412,379	\$ 37,379	\$ 22,373	\$ 22,376
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	494,507	412,379		22,373	22,376

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (Years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16. Cal fed	\$ 81,287	\$	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$ 81,287	\$	\$	\$	

SECTION F - OTHER BUDGET INFORMATION	
21. Direct Charges:	22. Indirect Charges: Fixed - \$ 179,024 - \$ 38,172
23. Remarks:	